

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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	:	
DAVID B. PUSHKIN,	:	
	:	
Plaintiff <i>Pro Se</i> ,	:	
	:	
-against-	:	
	:	
BETH R. NUSSBAUM, RHI	:	Civil Docket No. 12-CV-00324-DMC
ENTERTAINMENT, INC., TIMOTHY	:	
J. QUINLIVAN, MERITAIN	:	
HEALTH, INC., KEVIN L. BREMER,	:	MOTION DAY: SEPTEMBER 3, 2013
ESQ., ARONSOHN WEINER AND	:	
SALERNO, LLC, GEICO, PREMIER	:	
PRIZM SOLUTIONS, LISA ARDON,	:	
GINA FUGE, DOMINIC SPAVENTA	:	
AND PAUL FELDMAN,	:	
	:	
Defendants.		
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**MERITAIN DEFENDANTS' NOTICE OF MOTION AND
MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon this motion and the accompanying memorandum of law, Defendants Meritain Health, Inc. and Timothy J. Quinlivan (the "Meritain Defendants"), through their counsel Loeb & Loeb LLP, respectfully move this Court, on September 3, 2013, or as soon thereafter as counsel may be heard in the Courtroom of the Hon. Dennis M. Cavanaugh, United States District

Judge, District of New Jersey, 50 Walnut Street, Newark, N.J. 07101, for an Order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing Plaintiff's claims against them without leave to amend.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rules 7.1(c)(1) and 78.1(a), any opposition to the Meritain Defendants' motion shall be served no later than August 20, 2013, with any reply due August 27, 2013.

Dated: New York, New York
August 6, 2013

LOEB & LOEB LLP

By: /s/ Jodi Sarowitz.
Jodi R. Sarowitz (JS-7491)
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Health, Inc. and Timothy Quinlivan*